Denver Waste No More
Task Force

Meeting #3: Equity, Supports/Incentives, and Decision-Making Process
May 4, 2023
# Introductions - Task Force Members

| Ballot Sponsors | Ean Thomas Tafoya, GreenLatinos  
Vann Fussell, Compost Colorado |
<table>
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<tbody>
<tr>
<td>Labor</td>
<td>Luis Ponce, SEIU</td>
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<tr>
<td>Multi-family building resident</td>
<td>Marguerite Harden, Resident &amp; HOA Member</td>
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</tbody>
</table>
| Special Events  | Andrea Furness, Classic Events Co.  
Renee Ortiz, Eventful Productions |
| Commercial & Multi-Family Buildings | Jessy Aghababian, Unico Properties  
Peggy Panzer, Laramar Group/AAMD  
Stephen Shepard, Denver Metro BOMA |
| Food Waste Producers | Holly Adinoff, Sullivan Scrap Kitchen  
Allyson Gutierrez, Colorado Rockies Baseball Club  
Sonia Riggs, Colorado Restaurant Association  
Chris Woodburn, Denver Public Schools |
| Small business | Chris Chiari, Patterson Inn |
| Waste Haulers & Processors | Christopher Berry, GFL Environmental  
Erwin Galvan, Waste Management Recycle  
Clinton Sanders, A1 Organics  
Christi Turner, Scraps Ltd. |
| Construction Industry | JW Houser, Taylor Morrison/Home Builders Assoc  
Maggie Nichols, Iron Woman Construction  
Anna Perks, Perks Deconstruction |
| Environmental Advocate | Ryan J Call, Eco-Cycle |
| Multi-Sector | Joshua Jackson, NAACP  
Laurie Johnson, Circular Colorado |
| City Council Members | Jolon Clark, District 7  
Chris Hinds, District 10 |
Where We Are & April Recap
# Draft Work Plan

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<tr>
<th>Meeting 1 - March</th>
<th>Intros + clarify purpose/scope</th>
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| Meeting 2 - April | - Review relevant **context**; ID where we can/can’t **account** for external realities  
- Discuss **timelines** + overall **requirements**  
- Set up **workgroups** |
| Meeting 3 - May   | - How do we ensure **under-resourced** communities/ buildings are able to comply with / benefit from the ordinance?  
- What other **supports** could be made available to help buildings comply? |
| Meeting 4 - June  | - Consider **draft recommendations** – e.g., phasing, what’s required of whom, exemptions  
- Look-ahead to public engagement process; adjust Task Force timeline as needed |
| Meeting 5 - July  | - **ID principles for universal signage**, effective messaging and community buy-in  
- Confirm **overall proposals thus far**, e.g., timelines, communication protocols, materials requirements, funding, enforcement strategies  
- Provide input for public engagement process |
| Meeting 6 - Sept  | Incorporate public input + finalize recommendations |
Task Force Topics to Address

Implementation + Enforcement
- Timing: Is it as simple as moving the timeline back 1 year?
- Phasing: Is the phasing per covered entity optimal? Are there tweaks needed?
- Market + infrastructure constraints: What are they, how/when will they change, how should we account for them in the ordinance?
- City structure and support: What do regulated entities need?

Equity – what supports are needed to ensure benefits and avoid negative impacts to under-resourced communities from the policy?

Communication – key concepts/principles for universal signage; messaging campaigns (informational, inspirational, who messages what and to whom?)

Unintended Consequences – e.g., how will truck traffic increase and how should we address it?

Potential Non-Regulatory Recommendations
- E.g., recommend allocating $X or X% of future EPR funds to support implementation
- E.g., impact on/need for additional regional infrastructure
April Recap

- Current realities of the market and regional infrastructure
- Guiding principles for implementation
  - Recognizing will of the voters – i.e., universal access to compost/recycling in a discrete timeline
  - Equitable (equity work group will help flesh this out, considering Denver’s OSEI equity principles)
  - Feasible - for buildings, the City, consumers/waste producers
  - Sustainable and leading to long-term success
  - Cost effective (including for taxpayers and operators)
  - Resilience and adaptive over time
- Roll-out Options
  - A: Update Deadlines Only
  - B: Tweak Groups and/or Measures
  - C: Other (categories, requirements, measures, deadlines, sequencing, etc.)
- Begin work groups
## Current Timeline for Roll Out

<table>
<thead>
<tr>
<th>Category</th>
<th>Requirement</th>
<th>2022</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
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<tbody>
<tr>
<td><strong>Multi-family residential</strong></td>
<td>Must ensure tenants and employees have access to on-site recycling and composting by:</td>
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<td>June 1, 2022 for 75+ units</td>
<td>June 1, 2023 for 25-75 units</td>
<td>June 1, 2024 for 8-25 units</td>
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<tr>
<td><strong>Non-residential buildings</strong></td>
<td>Must ensure tenants and employees have access to on-site recycling services by:</td>
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<td></td>
<td></td>
<td>June 1, 2023 for 25,000+ sq ft</td>
<td>June 1, 2024 for 5,000-25,000 sq ft</td>
<td>June 1, 2025 for &lt;5,000 sq ft</td>
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<td><strong>Compostable Waste Producers</strong></td>
<td>Must ensure that employees, contractors, and customers have access to on-site composting by:</td>
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<td></td>
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<td>June 1, 2023 for 15,000+ sq ft</td>
<td>June 1, 2024 for 5,000-14,999 sq ft</td>
<td>June 1, 2025 for &lt;5,000 sq ft</td>
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<td><strong>Permitted Events</strong></td>
<td>Must provide recycling and composting collection to their employees, contractors, and customers by:</td>
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<td></td>
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<td>June 1, 2023</td>
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Any questions/comments?
Work Group Report-Outs: Licensees, Buildings and C&D

Brief update on work group discussions relevant to:

1) Phasing/roll-out of the ordinance
2) Other suggestions for ‘responsibilities’ in ordinance

We’ll hear about Equity + Support/Incentives later in meeting.
WNM Phasing/Roll-Out of the Ordinance

Licensees
❖ Possibly tailor phasing to require compliance for BOH operators before FOH compliance, and/or delineate responsibilities more specifically (e.g., food licensees in shopping malls would be responsible for their kitchen, with shopping mall operator/building owner responsible for visitors throughout)
❖ One idea for phasing/grouping is to differentiate between vendors offering on-site consumption vs. to-go options

Buildings
❖ Support for phasing-in requirements for apartments based on units; however there may be room to simplify or clarify (e.g., roll out in 2 groups rather than 3; clarify whether units are at one location)
❖ Openness to consider phasing based on tonnage if that is more equitable or efficient for achieving WNM goals, instead of phasing per square footage

C&D
❖ Discussing phasing options based on building age and residential vs. commercial. Learning from peer cities on best practices.

*Note: that equity considerations will also be relevant to phasing and roll-out!
Other Suggestions for ‘Responsibilities’ in Ordinance

Licensees

❖ The group liked the idea of delineating responsibilities in line with existing city practices or programs, like food licensure or a specific permit(s) that would trigger WNM responsibility (“permitted events” might be too broad)
❖ There is currently overlap on the compostable waste producers list in the ordinance, so there may be opportunity to refine the operators and responsibilities

Buildings

❖ Delineating responsibility between haulers, building operators, janitorial services, and licensed entities will help address contamination concerns and ensure enforcement is properly directed; each should be clearly defined
❖ Everyone agrees that the simpler the signage/messaging, the better!

C&D

❖ Need to clarify differences in demolition & construction permits in ordinance language.
❖ Add a definition for “readily recyclable” or change to “non-contaminated.”
❖ Discussing the idea of a deposit requirement with the permit process to incentivize compliance.
❖ Recycling and Reuse plans should not be reviewed by the Department of Transportation and Infrastructure
Support/Incentives – Work Group Initial Ideas

Licensees
❖ City-funded access to bins for one-off uses, either through city rental program or grant funding to orgs
❖ City-provided best practices/guidance for community events that want to comply but aren’t required to under the ordinance
❖ Recognition or incentives to achieve compliance early or go above and beyond minimum standards

Buildings
❖ Clearer, stronger, uniform standards for licensed haulers under the WNM Initiative
❖ Programs that allow space-challenged businesses to share resources
❖ Standard but engaging/colorful signage that City provides to covered entities similar to wage/discrimination law posters

C&D
❖ Certified deconstruction contractors training/program.
❖ City support for increasing education and outreach and general awareness through hosting events/trainings/workforce development opportunities.
❖ Encourage regional alignment in recycling and reuse plans and reporting.

*Note: that equity considerations will also be relevant to supports/incentives and discussed later in meeting*
Any questions or concerns?
Applying an Equity Lens to Waste No More
What is an Equity Lens?

An equity lens is a set of questions used to embed equity in the design, execution, and assessment of processes, policies, programs, and budgets. The purpose of developing an equity lens is to guide City programs and policies toward the achievement of racial and social equity, and social justice. The City defines equity as a state in which race and social identities can no longer be used to predict life outcomes.

- CCD Office of Social Equity and Innovation
Sample questions

• What are the desired outcomes of this work?
• What beliefs, values, and assumptions guide how the topic is being considered?
• Who has already been included?
• What burdens, if any, will your program or policy place on the community?
• What relevant data do we have or need related to this project?
• Are you lacking important data on how your work will impact historically marginalized communities?
• Are there additional resources needed?
• Do you need more collaboration with stakeholders?
• Does the impacted community require relationship building or compensation for the programming to be successful?
• Who are the people most impacted by this topic? How have they been included?
• What is your plan for measuring the outcome of your efforts?
• How will you maintain a commitment to equity in your work over time?
Equity Work Group discussed...

• **WHOM** do we want to affirmatively help/support and not harm or penalize?

• **WHAT** is our process to ensure an equity lens is applied throughout the process?

• **HOW** will we do that, e.g., policy options, supports/incentives?
WHOM do we want to help & not harm? (and how to identify) – e.g.:

- People of color and indigenous people
- Low income households
- Small business, MWBE businesses
- Certain special events
- Neighborhood-wide/census tract-based (i.e., Justice40 EJ Scoring, CDPHE’s EnviroScreen and/or CASR’s Building Equity Index)
WHAT IS OUR PROCESS to ensure we apply an equity lens consistently?

- **Evaluation Rubric** based on guiding principles, Sustainability Advisory Council template and OSEI’s equity lens guidance questions

- Ensure equity lens is applied in all work group discussions
Small Group Discussion Topics (Equity)

1) **Who** needs to be supported/prioritized in WNM implementation? *Does the proposed definition (the whom) capture this and the tools we should use to ID these groups/facilities?*

1) Is the proposed **equity** rubric complete and usable? *Any concerns/additions to ensure an equity lens is incorporated throughout the process?*
Small Group Discussion
Break
Check In about WNM Recommendations
Review WNM Recommendations Scope

What Goes in the Ordinance vs Related Recommendations (i.e., Supports/Incentives, Policy)
What goes in the Ordinance?

- **Who** is being regulated?
- What are the **regulations**?
- What **exemptions** are allowed?
- What are the **penalties** for non-compliance?
- How can the penalties be **appealed**?
- When is **compliance** required?
What the ordinance says about buildings

**Who is being regulated?**
- Residential 8+ units
- All other non-residential

**What is the regulation?**
- Submit to the city an annual diversion plan
- Provide tenants, employees, and visitors access to recycling and composting
- Adhere to signage and education requirements

**What exemptions are allowed?**
- A RULES PROCESS shall establish a one year exemption for limited to economic hardship, de minimus volumes of materials, self-hauling of materials, and space constraints. A second one-year exemption is allowed and other alternative compliance options are described.

**What are the penalties for non-compliance?**
- None specified

**How can the penalties be appealed?**
- Not specified
What the ordinance says about **food waste producers**

**Who is being regulated?**
- See list: red = licensed by EXL

**What is the regulation?**
- Submit to the city an annual diversion plan
- Provide tenants, employees, and visitors access to recycling and composting
- Adhere to signage and education requirements
- Food trucks can’t landfill fats, oils, grease

**What exemptions are allowed?**
- A RULES PROCESS shall establish a one year exemption for limited to economic hardship, de minimus volumes of materials, self-hauling of materials, and space constraints. A second one-year exemption is allowed and other alternative compliance options are described.

**What are the penalties for non-compliance?**
- None specified

**How can the penalties be appealed?**
- Not specified

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**Food Waste Producers**
Including but not limited to:
- Grocery stores
- Food wholesalers, distributors, and manufacturers
- Food trucks
- Hotels
- Hospitals
- Sports venues
- Event centers
- Caterers
- Nursing & residential care facilities
- Office buildings with dining services
- Farmers markets
- Food shelves and food banks
- Colleges & universities with dining services
- Shopping centers
- Airports
- Golf clubs & country clubs
- Rental kitchens or shared commercial kitchens
- Restaurants
What the ordinance says about **special events**

**Who is being regulated?**
- Operators of permitted events

**What is the regulation?**
- Submit a waste management plan to OSE
- Provide employees, contractors, and customers access to recycling and composting
- Adhere to signage and education requirements

**What exemptions are allowed?**
- Requirements may be waived for events providing reusable food ware, generating de minimus volumes, or events that do not distribute food for on-site consumption subject to approval of event permit.

**What are the penalties for non-compliance?**
- A RULES PROCESS shall determine enforcement and compliance.

**How can the penalties be appealed?**
- Not specified

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**Examples of Permitted events**
- Events open to the public, held on public property, e.g., race, run, walk, festival, concert

**These are not permitted events**
- Neighborhood block party
- Family reunion picnic in a park
- Youth soccer tournament in a park
What the ordinance says about **C&D**

**Who is being regulated?**
- Responsible party is not specified for construction permits
- All parties seeking a demolition permit

**What is the regulation?**
- Separate and recycle all readily-recyclable concrete, asphalt, clean wood, scrap metal and corrugated cardboard.
- Readily-recyclable is not defined

**What exemptions are allowed?**
- Projects under 500 square feet, projects requiring only mechanical, electrical, plumbing or HVAC permits, quick permits
- A RULES PROCESS shall be determined for exemptions for other applicable projects

**What are the penalties for non-compliance?**
- A RULES PROCESS shall establish penalties and fines for noncompliance based on the square footage of the project. Penalties may include loss of license.

**How can the penalties be appealed?**
- Not specified
Potential recommendation topics related to WNM implementation but not in the Ordinance

- **Financial Support**: loans, grants, etc.
- **Technical Support**: assessments, info desk, help w/ compliance, etc.
- **Incentives**: early adopters, rebates, etc.
- **Policy**: zoning code, building code, licensing code, noise ordinance, etc.

*Note that communications/engagement/education will be discussed in July meeting (e.g., targeted outreach/education)*
What Supports and Incentives are Needed?

For optimal implementation
### WHAT We Have Heard Thus Far

**Jamboard Link**

<table>
<thead>
<tr>
<th>Financial Support</th>
<th>Technical Support</th>
<th>Incentives</th>
<th>Policy</th>
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<tr>
<td><strong>Denver Wide</strong></td>
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<td>• City-funded access to bins for one-off uses, either through city rental program or grant funding to orgs</td>
<td>• How-to/guidance documents on setting up effective sorting systems, tips for contract terms</td>
<td>• Financial incentives for any regulated entity</td>
<td>• Zoning code use specific to compost processing</td>
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<td>• Programs that allow space-challenged businesses to share resources</td>
<td>• Workforce training (janitorial, drivers, haulers, sorters)</td>
<td>• Recognition or incentives to achieve compliance early or go above and beyond minimum standards</td>
<td>• CCD purchasing requirements for compost: use of recycled material in construction (i.e., aggregate)</td>
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<td><strong>Equity Target</strong></td>
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<td>• City sponsorship of a group-buying program for hauling services i.e. group contracts for small businesses</td>
<td>• Peer educators/food scrap collectors in pilot low-income MFUs</td>
<td>• Financial incentives and grants for under-resourced buildings and businesses</td>
<td>• Exceptions and/or fee waivers for special populations</td>
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<td>• Subsidies/grants for under-resourced households, buildings that serve under-resourced households, under-resourced businesses and events</td>
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Small Group Discussion: Supports/Incentives (Outside the Ordinance)

- What resonates as most important/useful? Why?
- What’s missing? What other ideas do you have?
Small Group Discussion
Review Decision-Making Process for Recommendations: What to Expect?
WHAT IS OUR PROCESS to ensure we apply our guiding principles to all recommendations?

- **Recommendation Evaluation Rubric** based on guiding principles, Sustainability Advisory Council template and OSEI’s equity lens guidance questions

- Ensure guiding principles are applied in all **work group** discussions
Diversion Plan Recommendation - Evaluation Rubric


- Not asking for a decision
- Purpose is to review the rubric in action, determine if the format works for everyone

Link to draft recommendation:
https://docs.google.com/document/d/1XMyNQ0tg_YG8Xo0Q2IkhYhrfgYspp1oLD/edit?usp=share_link&ouid=106091147107820268801&rtppof=true&sd=true
# WNM Issues for Decision-Making

<table>
<thead>
<tr>
<th>In the ordinance or rules &amp; regs</th>
<th>Related but not in the ordinance</th>
<th>Administrative Issues for CCD Staff w/TF review</th>
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<tbody>
<tr>
<td>Timeline &amp; phasing per type or size of entity/ C&amp;D project</td>
<td>Optimal requirements for education, outreach</td>
<td>Agency assignments</td>
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<tr>
<td>Exemptions, alternative compliance options</td>
<td>Financial supports, incentive programs</td>
<td>Generate list of terms to be defined</td>
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<tr>
<td>Intent re: permitted events</td>
<td>Workforce development</td>
<td>Draft standard penalty &amp; remedy language</td>
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<td>Universal symbols</td>
<td>Other CCD policies (zoning &amp; building code, purchasing, etc.)</td>
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From Input to Recommendations

What Will the (Iterative) Process Look Like?

1. Task Force provides **high-level** input based on key interests + guiding principles
2. Work groups **vet** options
3. Task Force considers work group recommendations using **evaluation rubric**
4. Work groups **refine** draft recommendations as needed
5. Task Force **make decisions** on each recommendation
6. Package of draft recommendations shared for **public comment**
7. Task Force revises based on public comment, issues **final report**
8. Staff drafts **ordinance language** (Task Force opportunity for final review)
9. Staff submits **final revised ordinance** to City Council
Any questions or suggestions for the **evaluation process** for Task Force recommendations?
Next Steps
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| Meeting 6 - Sept | Incorporate public input + finalize recommendations |
Next Steps + Action Items

Task Force meets June 1, 2-5 pm hybrid again!
❖ The Denver Foundation, 1009 Grant Street
❖ Timeline and Phasing: deliberate options

Homework
❖ Work groups continue meeting
  ○ Where appropriate, draft proposed recommendations
  ○ Please engage your network!
❖ Tours: DADS, Waste Management MRF, A1 Organics